

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
PORTLAND DIVISION

ROGER H. HUMBARGER,

No. 03:11-CV-1202-PK

Plaintiff,

EXTENSION OF TEMPORARY  
RESTRAINING ORDER

v.

MORTGAGE ELECTRONIC  
REGISTRATION SYSTEMS, INC.,  
RECONTRUST COMPANY, N.A.,  
BANK OF NEW YORK MELLON, and  
BANK OF AMERICA, N.A., successor by  
merger to BAC Home Loans Servicing, L.P.,

Defendants.

BROWN, District Judge:

On October 7, 2011, the Honorable Marco A. Hernandez issued a temporary restraining order (TRO) against Defendants to prevent irreparable injury to Plaintiff from the scheduled

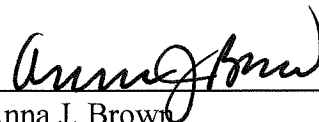
foreclosure sale of Plaintiff's home at 26780 SW Petes Mountain Road, West Linn, OR 97068.

A hearing was set for October 17, 2011 at 3:00 p.m. to determine whether a preliminary injunction should issue. Since the TRO issued, (1) Defendants have filed their own Motion for Preliminary Injunction (#11) proposing the foreclosure sale be ordered postponed until January 24, 2012; (2) Plaintiff has filed a Renewed Motion for Preliminary Injunction (#13) questioning the authority of Defendants' counsel to appear on Defendants' behalf and asking for an indefinite extension of the TRO until the case is resolved on its merits; and (3) the hearing set for October 17, 2011 at 3:00 p.m. was stricken due to the temporary, but urgent inability of Judge Hernandez to hear the matter as scheduled.

Because the TRO was set to expire at 5:00 p.m. on October 17, 2011 and because it appears at a minimum the parties agree the TRO should be extended for at least some period of time, I hereby reset today's hearing on the extension of the TRO (#8) to October 31, 2011 at 2:30 p.m. before Judge Hernandez, so that the parties may have additional time to clarify their positions. Likewise, the TRO is also extended until 5:00 p.m. on October 31st.

IT IS SO ORDERED.

Dated this 17<sup>th</sup> day of October, 2011  
 @ 3:50 p.m.

  
 Anna J. Brown  
 United States District Judge